**S.B.CRIMINAL MISC. BAIL APPLICATION NO.3476/2006**

Date : 22.08.2006

**HON'BLE MR. SATYA PRAKASH PATHAK, J.**

Mr. R.S. Chouhan for the applicants.
Mr. V.R. Mehta, Public Prosecutor for State.

I have heard learned counsel for the applicant as well as the learned Public Prosecutor for the State and carefully gone through the impugned order and the case diary.

The contention of learned counsel for the applicant is that in the instant case allegation under Section 498A IPC are absolutely false. He submits that the deceased died by pouring kerosene herself. He referred some the statements referred during the course of the investigation and on the basis of those statements submits that there appears no involvement against the accused applicants.

On the other hand, learned Public Prosecutor has opposed the bail application and submitted that in Parcha Bayan as well as statements recorded by the Magistrate under Section 164 Cr.P.C. there is specific allegations against the

accused applicants and the manner in which deceased was set on fire.

Without expressing any opinion on the merit of the case and taking into consideration the overall facts and circumstances of the present case, I do not find it to be a fit case to extend benefit of bail to the applicants. Accordingly, the bail application moved by the applicant under Section 439 Cr.P.C. is rejected.

**(SATYA PRAKASH PATHAK), J.**

**vijayant**